

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK LINDSAY,	)	
	)	
Plaintiff,	)	Civil Action No. 14-195E
	)	
v.	)	Judge Cathy Bissoon
	)	Magistrate Judge Susan Paradise Baxter
DR. MARK WILSON, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

This case was referred to United States Magistrate Judge Susan Paradise Baxter for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On August 4, 2015, the Magistrate Judge issued a Report (Doc. 56) recommending the dismissal of certain Defendants, the denial of other Defendants' Motion to Dismiss, and that Plaintiff be directed to file a second amended complaint. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, it hereby is **ORDERED** that: the Magistrate Judge's Report and Recommendation is adopted as the Opinion of the District Court; the Medical Defendants' Motion to Dismiss (**Doc. 31**) is **DENIED**; Defendant Zirkle's Motion to Dismiss (**Doc. 25**) is **GRANTED**; Defendant Wilson is DISMISSED under Federal Rule of Civil Procedure 4(m); Defendants Zirkle and Wilson are terminated as parties to this lawsuit; and **Plaintiff shall file a second amended complaint, as contemplated in the Report and Recommendation, by September 18, 2015.**

IT IS SO ORDERED.

September 2, 2015

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via First-Class U.S. Mail):

Mark Lindsay  
HK-5949  
SCI Albion  
10745 Rt. 18  
Albion, PA 16475-0002